

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
73544 Hwy 64
Meeker, CO 81641

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER CO-110-2006-028-DNA

CASEFILE/PROJECT NUMBER (optional): COC-061136

PROJECT NAME: APDs for Story Gulch Unit (SGU) 8503D & 8504D on pad D25 496

LEGAL DESCRIPTION: T.4S., R.96W., NENW sec.26 (8503D), NWNW sec.26 (8504D)
surface location both wells, 6th P.M.

APPLICANT: ENCANA Oil & Gas (USA) Inc.

DESCRIPTION OF PROPOSED ACTION: The applicant proposes to construct a well pad for two wells, construct 150' of new access road, and install pipeline on private surface. Access to the location would be via Sprague Gulch. A right of way (ROW) for access via Sprague Gulch has been authorized for previous actions. No new surface disturbance would occur on BLM lands.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The proposed action is subject to the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

 X The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

Decision Language: Page 2-5: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

 The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: July 1, 1997

Name of Document: CO-110-2005-217-EA

Date Approved: October 20, 2005

List by name and date any other documentation relevant to the Proposed Action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document:

Date Approved:

NEPA ADEQUACY CRITERIA:

1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?

Documentation of answer and explanation: *Yes*, the Proposed Action is substantially the same action and at the site specifically analyzed in the existing document CO-110-2005-217-EA.

2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?

Documentation of answer and explanation: *Yes*, a reasonable range of alternatives to the Proposed Action was analyzed in the existing NEPA document CO-110-2005-217-EA, and that range and analysis appropriately considers current environmental concerns, interests, and resource values.

3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or resource assessment information?

Documentation of answer and explanation: *Yes*, the information or circumstances upon which the existing NEPA document CO-110-2005-217-EA is based remains valid and germane to the Proposed Action. The analysis is still valid in light of new studies or resource assessment information.

4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?

Documentation of answer and explanation: *Yes*, the methodology and analytical approach used in the existing NEPA document CO-110-2005-217-EA continues to be appropriate for the Proposed Action

5. Are the direct and indirect impacts of the Proposed Action unchanged from those identified in the existing NEPA document?

Documentation of answer and explanation: *Yes*, the direct and indirect impacts of the Proposed Action are unchanged from those identified in the existing NEPA document CO-110-2005-217-EA.

6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?

Documentation of answer and explanation: *Yes*, the cumulative impacts that would result from implementation of the Proposed Action are unchanged from those analyzed in the existing NEPA document CO-110-2005-217-EA.

7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?

Documentation of answer and explanation: *Yes*, the public involvement and interagency review associated with the existing NEPA document CO-110-2005-217-EA is adequate for the Proposed Action.

INTERDISCIPLINARY REVIEW: Identify those team members conducting or participating in the NEPA analysis and preparation of this work sheet (by name and title).

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on November 15, 2005.

A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: No impacts.

Native American Religious Concerns: No impacts.

Threatened and Endangered Species: No impacts.

MITIGATION:

1. The proponent is responsible for abatement of dust created by construction or by project-related traffic. Potential dust abatement tools could include, among others, periodic watering as described in EnCana's 13 Point Surface Use Plan (2.K), other methods of treating road surfaces, and restriction of vehicle speed to levels that would minimize dust.

2. Permitting of all regulated air pollution sources through the Colorado Department of Public Health and Environment (CDPHE), Air Pollution Control Division, will assure compliance with all federal and state standards. The proponent will provide evidence to BLM that necessary permits have been acquired.

3. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the Authorized Officer (AO). Within five working days, the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places,
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary),
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator

will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

4. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

5. Eliminate any noxious or invasive plants before any seed production has occurred. Eradication should make use of materials and methods (Pesticide Use Proposal) approved in advance by the AO. Application of herbicides must be under field supervision of an EPA-certified pesticide applicator.

6. The operator will clean all off-road equipment to remove seed and soil prior to commencing operations on public lands within the project area.

7. The operator shall prevent use by migratory birds of reserve pits that store or are expected to store fluids which may pose a risk to such birds (e.g., migratory waterfowl, shorebirds, wading birds and raptors) during completion and after completion activities have ceased. Methods may include netting, the use of bird-balls, or other alternative methods that effectively prevent bird use and that meet BLM approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to prevent bird use two weeks prior to beginning completion activities. The BLM-approved method will be applied within 24 hours after completion activities have begun. All lethal and non-lethal events that involve migratory birds will be reported to the Petroleum Engineering Technician immediately.

8. Revegetation of the two well sites and the pipeline should encourage the establishment of mountain sagebrush along with grasses and forbs. A small amount of mountain sagebrush seed (¼ lb./acre) is recommended in place of other shrubs in the reclamation seed mix. Mountain sagebrush seed should be collected in the vicinity and applied separately by broadcasting in the fall or on snow during the winter. Any future noxious weed control should be conducted only by hand control means to avoid treatment of sagebrush plants.

9. Pipeline construction along the Roan Divide road should be avoided during the sage grouse nesting period (April 15 to July 7).

10. The operator is required to collect and properly dispose of any solid wastes generated by the proposed actions.

11. Oil and gas development activities require a stormwater discharge permit from the Colorado Department of Public Health and Environment, Water Quality Control Division, for construction associated with well pads, pipelines, roads and other facilities. As a condition of the permit, a Stormwater Management Plan (SWMP) would be developed showing how Best Management Practices (BMPs) are to be used to control runoff and sediment transport. The applicant is

required to have a copy of the SWMP on file with the Meeker Field Office and to implement the BMPs in that plan as on-site conditions warrant.

12. The White River Record of Decision and Approved Resource Management Plan (July, 1997) includes a list of standard Conditions of Approval to be applied to All Surface Disturbing Activities (COAs 1-12) and to Road Construction and Maintenance (COAs 13-62). The applicant is required to be familiar with those standard COAs and to implement them as on-site conditions warrant.

13. Segregation of topsoil material and replacement of top soil in its respective original position (last out, first in) will assist in the reestablishment of soil health and productivity.

14. All disturbed areas for the well pads, associated roads and the pipeline, with the exception of the production area of the well pads and the road travel surface, will be reclaimed within the first growing season or prior to the first full growing season following disturbance with the following seed mix:

Native Seed Mix

Species*	Pure Live Seed**
Basin Wildrye (Magnar)	2 lbs/ac
Western wheatgrass (Rosanna)	2 lbs/ac
Slender wheatgrass (Primar)	2 lbs/ac
Mountain brome (Bromar)	2 lbs/ac
Big bluegrass (Sherman)	1 lbs/ac
Antelope bitterbrush	1 lbs/ac
Rocky Mountain penstemon	1 lbs/ac
<i>*See COA #8.</i>	
<i>** Seeding rate for drill seeding. Double rate for broadcast/harrow seeding.</i>	

Successful re-vegetation should be achieved within three years. The operator will be required to monitor the project site(s) for a minimum of three years after construction to detect the presence of noxious/invasive species. Any such species that occur will be eradicated using materials and methods approved in advance by the Authorized Officer.

Areas of the well pads not used during any production phase, including cut and fill slopes, will be contoured to a slope of about 5:1, and will have topsoil redistributed and re-vegetated with the above seed mix prior to the first full growing season following completion of drilling.

Final reclamation of roads and well pads following abandonment will be achieved with the native seed mix noted above.

15. Use of the Sprague Gulch Road for traffic related to major development activities such as well drilling and pipeline construction will be limited during the raptor nesting season (February 1 to August 15) or until surveys during the nesting season in the year of development confirm no active raptor nesting within a ¼ mile of the access road.

16. Implement road construction and maintenance standards and procedures described in the APD's 13 Point Surface Use Plan.

17. The applicant is required to take measures to assure that public traffic on the Sprague Gulch and Divide Roads is not obstructed by construction of the project. Traffic delays for movement of construction equipment will be brief.

18. All exposed rock outcrops in the project area shall be examined by an approved paleontologist with a report detailing the results of the inventory and any mitigation recommendation shall be submitted to the BLM prior to the initiation of construction on any of the well pads, compressor site or road/pipeline right-of-way. A paleontology monitor shall be present at any time that it becomes necessary to excavate into the underlying bedrock formation in order to bury the pipeline, level the well pad, excavate the reserve/blooiie pit or to construct any project features.

19. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

20. All permanent (onsite for six [6] months or longer) structures, facilities and equipment placed onsite shall be low profile and painted Munsell soil color chart Juniper Green or equivalent within six months of installation.

NAME OF PREPARER: Keith Whitaker

NAME OF ENVIRONMENTAL COORDINATOR: Caroline P. Hollowed

DATE: 12/13/05

CONCLUSION

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Based on the review documented above, I conclude that this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL:


Field Manager

DATE SIGNED:

12/13/05

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.